

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT POLICY

Voluntary _ Public

Date: 11/3/2018

GAIN Report Number: MO1873

Morocco

Post: Rabat

Import Requirements for Wheat-Corn-Barley-Rice-Pulses

Report Categories:

FAIRS Subject Report

Grain and Feed

Food Processing Ingredients

Approved By:

Morgan Haas

Prepared By:

FAS/Rabat

Report Highlights:

This report contains an unofficial translation of Morocco's general modalities applicable to the import and export of cereals (e.g., wheat, corn, barley, rice), pulses, and their products, including performance bonds applicable to imports and which range from \$50/MT for wheat to \$30/MT for all other aforementioned products and impacts over \$200 million of U.S. agricultural exports. Neither this trade measure nor its predecessors have yet been notified to the WTO.

Kingdom of Morocco
National Interprofessional Office of Cereals and Pulses

No. 04/DC/SIE



Rabat, December 05, 2014

Circular
Relating to the Import and Export Modalities
for Cereals, Pulses, and their Products

In the framework of monitoring the national supply of cereals and pulses and in order to support the information system of imports and exports cereals and pulses, [Law No. 12-94](#) relating to the National Interprofessional Office of Cereals and Pulses (ONICL) and the organization of the market of cereals and pulses, as was completed by the [Law No. 17-96](#), established in its article 24, **a declaration for import or export operations of cereals and pulses and their products.**

For this purpose, the operators considering to import or export cereals or pulses or their products must deposit against receipt, declarations to ONICL within the forms prescribed by it.

The purpose of this Circular is to specify the modalities for implementing the provisions of the aforementioned laws and texts taken for their application, in particular, [Decree No. 2-13-820 of the Moharrem 16 \(November 10, 2014\)](#) relating to the performance bond of cereal and pulse import operations.

I. MONITORING IMPORT OPERATIONS

Natural or legal persons wishing to import or export cereals or pulses or their derivatives must be declared in advance to ONICL within the meaning of law 12-94.

In addition, the operators declared to ONICL are required for each of an import operation, to depose simultaneously and in the forms prescribed by this establishment:

- An **Initial Declaration of Importation**
- A **Performance Bond (model in annex II).**

The provisions of this Circular apply to all cereals and their derivatives and to pulses below:

Peas	including, shelled, husked or broken and non-transformed
Pea	
Lentils	
Beans	
Broad beans and Fababeans	

1. DEPOSIT OF THE INITIAL DECLARATION AND PERFORMANCE BOND

The Initial Import Declaration (DII) must be filed (according to model in **Annex 1**) nearby ONICL External Service (SE / ONICL) on which the operator's head office is located, and at least five (5) clear days before customs clearance of the goods.

For requirements related to the management of the supply, and in accordance with the decree above, the

period between the date of submission of the DII to SE / ONICL and the deadline date of arrival put on it and specified by the importer shall not exceed 90 calendar days.

The Performance Bond: In accordance with the joint decree of the Minister of Economy, Finance, and Privatization, and Tourism, and the Minister of Agriculture, Rural Development and Waters and Forests [No. 1172-02 of 7 Joumada 1 1423 \(July 18, 2002\)](#), the amount of the performance bond is fixed as followed:

- For wheat : 5.00 dirhams per quintal
- For the other cereals (maize, barley, rice, etc.) and pulses : 3.00 dirhams per quintal

The bond deposited by the operator must, in particular:

- Conform to model in Annex II;
- Explicitly mention "**Caution**" (bond);
- Carry bank references and be known by two representatives of the issuing bank branch
- Be exempted from any reservations of any kind, including those concerning dates, durations or conditions of validity and / or performance.

From the deposit of the DII and the performance bond by the importer, the SE / ONICL provides the importer the necessary receipt for customs clearance (model in **Annex III**). The receipt indicates the date from which customs clearance can take place. For this purpose, except in the exceptional case dealt with in the following article, the importer has no right to go through customs **only from the sixth calendar day** after the day of filing of the initial declaration and obtain its receipt.

2. JUSTIFICATION FOR THE IMPLEMENTATION OF THE IMPORT OPERATIONS:

The operator must also submit to SE / ONICL:

- Before the arrival of the vessel, a **Performance Declaration** (model in **Annex IV**) announcing the arrival of the vessel. The deposit of this declaration is not required for imports by containers.
- Later at the end of the unloading of the vessel, a **Complementary Declaration** (Model in **Annex V**) supported by copies:
 - of the Unique Declaration of Merchandise (DUM) issued by the Customs Administration;
 - of the invoice;
 - of the vessel's stopover attestation (AE) issued by the competent port authority. For land-based imports, the trader may furnish a document issued by the competent authorities certifying the arrival date in place of the vessel's stopover attestation.

Once the import operation has been achieved, the operator must complete his folder at the nearby ONICL by depositing the **Attestation of Importation** (AI) issued by the Administration of Customs and Indirect Taxes to justify the effective implementation of the operation. The (AI) must be:

- Be signed, sealed, dated and numbered;
- Carry the number(s) of the ONICL receipt(s);
- Carry the name(s) of the vessel(s);

Case of import operations with a customs clearance period of less than five days

For special import cases requiring less than **five 5 days**, the importer is in accordance with the provisions of the aforementioned Joint Decree to submit all the documents justifying the special nature of the importation to ONICL, in particular:

- a request done by the concerned operator;
- a true copy of the cargo bill of lading;
- a true copy of the Certificate of Origin;
- a sworn statement to be issued by the importer (model in **Annex VI**)

For these particular cases, the delivery of receipt (**Annex VII** model) of the import declaration deposit and the bond is subordinate to the examination outcome by ONICL central service documents and the arguments provided by the importer.

Case of linked or compound receipts

- **Linked receipts:** Two or more receipts are said to be "linked" if one of the required documents (AI, AE) jointly justifies their realization.
- **Compound receipts:** A receipt is said to be "composed" if one of the documents justifying its realization (AI, AE) is multiple (e.g. two or more AI and / or AE.)

For the linked receipts, the operator is obliged to present to the external service of ONICL a quantity allocation state (model in **Annex VIII**) duly completed by him. The performance bond will be handled accordingly.

For compound receipts, account will be taken of:

- The total quantities on AI;
- The most recent arrival date of the port stopover certificate when the operation is carried out on several vessels. In the case where the vessel serves several Moroccan ports, the stopover date of the first port is taken into account.

Receipts whose documents attesting the successful completion of the import operation have been deposited to the SE / ONICL and for which the latter has already decided on the bond(s) may no longer be subject to downward or upward revision of the quantities

Receipts whose deadline arrive date, carried by the operator on the initial declaration is reached, may no longer be subject to upward or downward revision of the quantities to regularize import operations carried out after that date.

3. RESTITUTION OF THE PERFORMANCE BOND:

The restitution of the bond is conditioned by the arrival at the Moroccan ports of the whole quantity specified in the import declaration by the importer. This quantity is subject to a weight tolerance of plus or minus ten (10) percent, and must have arrived, in full, at the latest on the date fixed by the importer. If this is not possible, and except in case of force majeure duly justified and accepted by ONICL, the entire deposit is forfeited to ONICL.

The day of arrival of the goods is justified by a Stopover Attestation at a Moroccan port issued by the competent authorities. The quantity imported is justified by one (or more) certificate (s) of importation issued by the Customs and indirect taxes Administration.

In case of no show, within one hundred and twenty (120) days from the deadline date declared by the importer, all the documents certifying the completion of the importation, and except in cases of force majeure duly justified and accepted by ONICL, the entire deposit is forfeited to ONICL.

In case of good performance, the SE / ONICL returns the bond to the importer against a discharge duly endorsed by the importer (model in **Annex IX**). In the absence of good performance, the deposit is transmitted to the central office of ONICL and except in case of force majeure duly justified and accepted by ONICL, the deposit is fully forfeited to ONICL in accordance with the provisions Article 24 of [Law No. 12-94](#) as supplemented by [Law No. 17-96](#) and [Decree No. 2-13-820 of 16 Moharrem \(10 November 2014\)](#) relating to the performance bond for cereal and pulse import operations.

The performance bond is recovered by ONICL within a period not exceeding fifteen 15 days after the justification of the good performance.

The list of returnable performance bonds will be published on ONICL website.

II. EXPORT

For export operations, the operators concerned are exempted from the deposit of the performance bonds but remain obliged to submit to ONICL an export declaration (model in **annex X**) and this, in accordance with the provisions of the [Law No. 12-94](#) as supplemented by the [Law No. 17-96](#) mentioned above.

This declaration, accompanied by a customs declaration (DUM), must be deposited against receipt (model in **Annex XI**) from the SE / ONICL of which the exporter's registered office is located, before loading the goods.

III. SPECIAL PROVISIONS

- Imports done on behalf of ONICL are exempt from the performance bond but remain subject to the filing of other declarations for import operations.
- In addition, imports under economic customs arrangements aimed for export, are not subject to the performance bond but remain subject to import declarations.
- The provisions of this Circular do not apply to imports and exports of cereal and pulses, as well as samples of cereals, pulses and products derived therefrom of less than 10 quintals per operation.

This Circular cancels and replaces the one dated January 13, 2012 numbered [N 01/DC/SIE](#) and takes effect for receipts issued by ONICL effectively from November 20, 2014.

**Stamp and signature of the
Director General
National Interprofessional Office of Cereals and Pulses**

Kingdom of Morocco
National Interprofessional Office of Cereals and Pulses

External Service of ONICL



Date.....

In.....

ANNEX I

INITIAL IMPORT DECLARATION OF CEREALS AND PULSES

Importer declaration	
Reference number ¹	
Commodity	
Customs nomenclature	
Import regime ²	
Quantity TM +/- 10%	
Port(s) planned for unloading ³	
Date of deadline ⁴	
Amount of the deposit	
<p>I undertake to carry out the import operation of the aforementioned product under the conditions specified by me. If this is not possible, ONICL will execute the bond for its benefit. I undertake to deposit to ONICL all documents justifying the good performance of the import operation within a period not exceeding 120 days from the deadline date of implementation specified by me. If this is not possible, ONICL will execute the bond for its benefit.</p>	

Done In: Date:

Stamp and signature of the declaring importer

PART RESERVED FOR ONICL	
Foreign Service of ONICL	
Deposit date of the declaration	
Receipt n	

Stamp and signature of the External Service Chief of ONICL

¹ Identification number of the operation to be specified by the declarant, to be included in the supplementary declaration

² Specify the import regime: release for consumption, other economic regimes to be specified, donation, etc.

³ Specify the port (or possibly the ports) of arrival and the corresponding quantities.

⁴ The arrival deadline date is at the latest 90 days from the day of the declaration (art ...)

ANNEX II

THE PERFORMANCE BOND FOR THE IMPORTATION OF CEREALS AND PULSES

Banking Establishment	
Agency	
Address of issuing agency	
Deposit n (Bank Reference)	

In accordance with Article 24 of Law No. 12-94 as supplemented by Law No. 17-96 and Decree No. 2-13-820 of 16 Moharrem (10 November 2014) on the performance bond for import operations of cereals and pulses.

We, the undersigned, (bank).....with the capital of whose head office social is at.....; entered in the Commercial Register under the N° represented for the purpose hereof by (Last names and first names)

-
-
-

Acting under the powers conferred upon us, declare ourselves a personal and joint suretyship in favor of the importer..... nearby ONICL and guarantee in this capacity the warranty up to the amount of (amount in words)Dhs. This amount represents the guarantee to which the importeris subject for the importation of..... MT +/- 10% of (merchandise)to be realized before the deadline date of arrival specified in its declaration be on:/...../.....

If ONICL considers that the import transaction was not carried out in accordance with the texts in force, or if the importer does not provide all the documents justifying the good performance of this operation, within a maximum period of 120 days from the closing date specified by his care, ONICL is entitled under this deposit to request by a registered letter, the payment of the sum in which we undertake to pay to him without asserting a power of attorney of discussion or division and this should be in the deadlines set by ONICL.

Done in: Date:

(Stamp and signatures of the banking institution)

Kingdom of Morocco
National Interprofessional Office of Cereals and Pulses

External Service of ONICL



Date.....

In.....

ANNEX III
DEPOSIT OF THE IMPORT DECLARATION AND PERFORMANCE BOND
NO... / ...

I, the undersigned,

First name:

Name:

Acting as the chief of the external department of ONICL to certify that he has received the import declaration and the performance bond correspondingly, against delivery of this receipt, issued on to the importer..... for the importation of a quantity of MT \pm 10%, of (Specify the goods).....

This receipt is obligatory for the customs clearance of the imported goods which cannot take place, in accordance with the regulatory provisions in force that five (5) days (clear) at least from the date of its delivery, either from.....

Done In: Date:

Stamp and signature of the External Service Chief of ONICL

Kingdom of Morocco
National Interprofessional Office of Cereals and Pulses

External Service of ONICL



Date.....

In.....

ANNEX IV
PERFORMANCE DECLARATION
OF THE IMPORTATION OF CEREALS AND PULSES

No of the Reference of the initial declaration: -----

(To be filled BY THE IMPORTER BEFORE THE ARRIVAL OF THE VESSEL)

Importer declarant	
Commodity	
Customs nomenclature	
Importation regime ¹	
Vessel name	
Quantity bill of lading	
Ports of embarkation	
Deadline date of loading	
Native country	
Unloading ports ²	
E.T.A at the port of destination	

Done in:

Stamp and signature of the declaring importer

Part reserved for ONICL	
External service of ONICL	
Date of deposit of the declaration	
Receipt n ^o	

Done in..... Date:

Stamp and signature of the External Service Chief

⁽¹⁾ Specify the import regime: brought for consumption, other economic regimes to specify, donation, etc.

⁽²⁾ Specify the ports concerned and the corresponding quantities fJ

⁽³⁾ It is a matter of postponing the number of the receipt issued to the deposit of the initial declaration

Kingdom of Morocco
National Interprofessional Office of Cereals and Pulses

External Service of ONICL



Date.....

In.....

ANNEX V

Supplementary import declaration of Cereals and Pulses

No of the Reference of the initial declaration: -----

(To be filled by the importer at the end of unloading)

Importer declarant	
Commodity	
Name of the vessel	
Quantity bill of lading	
Destination ports	
Effective arrival date	
Provider	
FOB / TM	\$USA I_I EURO I_I
Fret / TM	\$USA I_I EURO I_I
C&F /TM	\$USA I_I EURO I_I

Done in: Date:

Stamp and signature of the declaring importer

Part reserved for ONICL	
External service of ONICL	
Date of deposit of declaration	
Receipt n ^{o(1)}	

Done in..... Date:

Stamp and signature of the External Service Chief of ONICL

⁽¹⁾ It is a matter of postponing the number of the receipt issued to the filing of the initial declaration

Kingdom of Morocco
National Interprofessional Office of Cereals and Pulses

External Service of ONICL



Date.....

In.....

ANNEX VI
SWORN STATEMENT
RELATING TO IMPORTING THE IMPORTATION OF CEREALS AND PULSES
WITHIN THE SPECIFIED TIME OF ORGANIZATIONAL TIME

I, the undersigned, Mr.holder of the National Identity Card n °.....
Representing the importer (business name), in respect of the initial declaration (Reference
number) of..... for covering the import of..... MT
(specify the goods).....

Declare on their honor that the realization of the aforementioned importation requires a delay below the
statutory period of five (5) days, for the following reasons:

-
-
-
-

Supports this statement with the following supporting documents:

- A true copy of the original bill of lading for the cargo in question;
- A true copy of the original certificate of origin;
- Other documents (to be specified).

I certify the accuracy of the information contained in this declaration on my honor.

Done in..... Date:

Stamp and signature of the External Service Chief of ONICL

Kingdom of Morocco
National Interprofessional Office of Cereals and Pulses

External Service of ONICL



Date.....

In.....

ANNEX VII

RECEIVED FOR CUSTOMS PASSAGE
- PARTICULAR CASE -
DEPOSIT OF THE IMPORT DECLARATION
AND PERFORMANCE BOND
NO... / ...

I, the undersigned,

First name:

Name:

Acting as Chief of the External Service of ONICL to.....certify that I have received On (date)the import declaration and the corresponding performance bond guarantee, against delivery of this receipt, issued on (date).....to the importer for the import of a quantity of metric tons +/- 10% of (specify the goods)....., accompanied by supporting documents proving the particularity of the importation requiring a delay of realization less than 5 days. Based On the examination of these documents by ONICL, this receipt is issued to the person concerned, in accordance with the regulations in force. Customs clearance may take place from.....

Done in..... Date:

Stamp and signature of the External Service Chief of ONICL

External Service of ONICL

In.....



Date.....

ANNEX VIII

ALLOCATION STATE OF IMPORTED QUANTITIES EXECUTED IN CONNECTION WITH RELATED RECEIPTS (QUANTITY IN METRIC TON)

Attestation of Importation (A.I.)			
Number	Vessel	Date A.I.	Total quantity figuring on the A.I.
ONICL receipt number	Date of issue ONICL/receipt	Quantity MT	Quantity of A.I recorded for this receipt
	Total A.I. Recorded		

** check the correspondence of the two quantities*

I hereby request that ONICL allocate the quantities of the attestation of importation listed above to the abovementioned receipts. This distribution is final and can be used by ONICL to decide the good performance of import operations object of the receipt in question.

Done in: On (date)

Signature stamp of the authorized representative

Received by the Foreign Service on (date):

Kingdom of Morocco
National Interprofessional Office of Cereals and Pulses

External Service of ONICL



Date.....

In.....

ANNEX IX

REFUND DISCHARGE
PERFORMANCE BOND

I, the undersigned,carrying the National Identity Card
number.....representing the importer (business name),
acknowledge receipt of bank guarantee number..... issued by the bank
..... the amount ofDhs, deposited nearby the External Service of
ONICL at to cover the import of (specify the merchandise)under
Initial Declaration Number. (Receipt number)of (deposit date)

Done in..... Date:

Stamp and signature of the External Service Chief of ONICL

Kingdom of Morocco
National Interprofessional Office of Cereals and Pulses

External Service of ONICL



Date.....

In.....

ANNEX IX

**EXPORT DECLARATION OF
CEREALS AND PULSES**

Exporter declaring	
Commodity	
Customs nomenclature	
Quantity in TM	
Port of boarding	
Country of destination	
Boarding date	

Done In: Da.....

Stamp and signature of the declaring exporter

Part reserved for ONICL	
External service of ONICL	
Date of deposit of declaration	
Receipt n ^o (1)	

Done in..... Date:

Stamp and signature of the External Service Chief of ONICL

Kingdom of Morocco
National Interprofessional Office of Cereals and Pulses

External Service of ONICL



Date.....

In.....

ANNEX XI
RECEIPT FOR CUSTOMS PASSAGE
DEPOSIT OF THE EXPORT DECLARATION
OF CEREALS AND PULSES

N ... / ...

I, the undersigned,

First name:

Name:

Acting as Chief of ONICL service to..... certify that I have received the declaration

for export as prescribed by Law 12-94 as supplemented by Law N. 17-96 against issuing of present receipt.

This present receipt is issued to allow the export of the quantity of.....Tons metrics of (specify the goods)by the exporter.....

Done in..... Date:

Stamp and signature of the External Service Chief of ONICL

Kingdom of Morocco
National Interprofessional Office of Cereals and Pulses

External Service of ONICL



Date.....

In.....

ANNEX XII

**IMPORT DECLARATION
OF PRODUCTS DERIVED FROM CEREALS AND PULSES**

(To be filled by the importer at the arrival of the merchandise at the port of destination)

Importer declarant	
Commodity	
Name of the vessel	
Quantity bill of lading	
Importation regime ⁽¹⁾	
Effective arrival date	
Provider	
FOB / TM	\$USA I_I EURO I_I
Fret / TM	\$USA I_I EURO I_I
C&F /TM	\$USA I_I EURO I_I

Done in: Date:.....

Stamp and signature of the declaring importer

Part reserved for ONICL	
External service of ONICL	
Date of deposit of declaration	
Registration n ^o (1)	

Done in..... Date:

Stamp and signature of the External Service Chief of ONICL

(1) Specify the importation regime: brought for consumption, other economic regimes to specify, donation, etc.

Kingdom of Morocco
National Interprofessional Office of Cereals and Pulses

External Service of ONICL



Date.....

In.....

ANNEX XIII

**EXPORT DECLARATION
OF PRODUCTS DERIVED FROM CEREALS AND PULSES**

Exporter declaring	
Commodity	
Customs nomenclature	
Quantity in TM	
Port of boarding	
Country of destination	
Boarding date	

Done In: Da.....

Stamp and signature of the declaring exporter

Part reserved for ONICL	
External service of ONICL	
Date of deposit of declaration	
Registration n ^o (1)	

Done in..... Date:

Stamp and signature of the External Service Chief of ONICL